FINAL ACTION

1. This action is in response to amendment filed 1/27/2010. Claims 1-4 and 7-17 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 and 7-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Hermann et al. (EP 1024626).

3. As to claim 1, Hermann teaches a security system for wireless networks, comprising: a first portable unit(i.e., ... teaches a device such at but not limited to PDA, smart cards, badges [par. 39];

with a memory for storing a key record provided for short-range information transmission of the key record (i.e.,... teaches a first and second device architecture [par. 45]), at least part (e.g., password) of said key record (e.g., sequence) is provided by a user to create a key record that is worldwide unambiguous (i.e., ...teaches part of the sequence (i.e., key record) sent to second device containing a password used to authenticate a user [par. 44]), a triggering unit for triggering a short-range transmission of the worldwide unique key record (i.e., ... teaches sending a initialization token to thru

short-range transmission the short-range [par.. 45]). means for erasing said key record (e.g., initialization token) after an occurrence of one of (i.e., ...teaches a due date attached to the initialization token [par. 52]);

said transmission and a predetermined time interval (i.e., ...teaches a due date attached to the initialization token [par. 52]);

and at least one receiving unit in at least one wireless apparatus of the network (i.e., ... teaches a second receiving unit in a wireless communication network [abstract]), comprising a receiver for receiving the worldwide unambiguous key record and an evaluation component of the apparatus for storing (i.e., ... teaches a second receiver device [par. 45] ... teaches second device receives information ..... teaches information receives is evaluated for communication authentication purposes [par.44]), processing and/or passing on the worldwide unambiguous key record (4) or a part of the worldwide unambiguous key record to a second component (i.e., ... teaches a sending key data to second party [par. 46]), wherein said trigging unit is activated when said portable unit and said receiving unit are within a distance to each other such that signal energy from said receiving unit received by said portable unit exceeds a predetermined voltage level (i.e., Hermann discloses in paragraph 20 , communication between transmitter and receiver is initiated (e.g., trigger unit) when the transmitter enters within a certain proximity (e.g., within a distance) of the receiving device. Hermann further disclose authentication information is subsequently exchanged [par. 21]).

4. As to claim 2, Hermann teaches a security system characterized in that the key record in the memory of the portable unit is predetermined by the manufacturer (i.e., ... teaches a wireless communication between devices [fig. 2] ... those skilled in the art would recognize the inherent to wireless device communication is the communication pertinent manufacturing device information transmission between communicating device for initialization and setup purposes).

5. As to claim 3, Hermann teaches a security system characterized in that the portable unit comprises an input device for providing the key record to the memory (i.e., ... teaches a description of network devices in [par. 39] ... the teaching of network devices in par. 39 describes a PDA .... those skill in the art would recognize inherent to a PDA is a means to input information and store information).

6. As to claim 4, Hermann teaches a security system characterized in that the input device is adapted to detect biometric characteristics of a user and derive the key record from and/or authenticate the user by means of said biometric characteristics (i.e., ... teaches Human Interface Device (HID) for which can recognize voice [par. 39]).

7. Claim 5. (Cancelled).

8. Claim 6. (Cancelled).

9. As to claim 7, Hermann teaches a security system characterized in that, upon a user's approach to the receiving unit, a detector unit in the unit triggers the short-range information transmission of the worldwide unambiguous key record (i.e., ... teaches access points and point to point communication [par. 36] ... teaches a RF and IR networks [par. 42] ... those skilled in the art would recognize inherent to RF and IR technology are detectors to receive and process signal).

10. As to claim 8, Hermann teaches a security system characterized in that a key generator is provided in the first unit or in a second unit for generating a sequence of guest key records (i.e., ... teaches a generating a key [par. 48]).

11. As to claim 9, Hermann teaches a security system characterized in that the first unit is provided for transmitting a guest key record upon activation of a second triggering unit (i.e., ... teaches transmitting a key to a second party [par. 48]).

12. As to claim 10, Hermann teaches a security system characterized in that the key record and the guest key record each consist of a bit sequence (i.e., ... teaches a use of digital devices [par. 39] ... teaches a generating key data [par. 46] ... those skill in the art would recognize bit processing (e.g., constructing a bit sequence) as inherent behavior digital devices).

13. As to claim 11, Hermann teaches a security system characterized in that the first unit is a part of an apparatus, particularly a remote control unit [abstract].

14. As to claim 12, Hermann teaches a security system characterized in that the worldwide unambiguous key record is supplied during or before a network configuration, particularly an automatic network configuration, of an apparatus [par. 46].

15. As to claim 13, Hermann teaches a security system characterized in that the key record and the guest key record comprise characterizing bits which are provided for distinguishing between key records and other bit sequences and characterize bit sequences as key record or as guest key record (i.e., ... teaches a use of digital devices [par. 39] ... teaches a generating key data [par. 46] ... those skill in the art would recognize bit processing (e.g., constructing a bit sequence) as inherent behavior digital devices).

16. As to claim 14, Hermann teaches a security system characterized in that the apparatus is provided for erasing the guest key record (i.e., ... teaches a use of a nonce [par. 47] ... those skilled in the art would recognize a nonce is temporal and values are unique).

17. As to claim 15, Hermann teaches a security system characterized in that the apparatus is provided for authentication and encryption of useful data to be transmitted

between the apparatuses of the network by means of a key comprised in the key record [par. 46].

18. As to claim 16, Hermann teaches a security system characterized in that the apparatus identifies its association in with a wireless network by means of a key comprised in the key record [par. 47].

19. As to claim 17, Hermann teaches a portable unit for installing a shared key with a key record in at least one apparatus of a wireless network comprising a memory for storing the key record (i.e., public key) which is provided for short- range information transmission of the key record [pa. 47]. wherein a characteristic is provided by a user to create a key record that is worldwide unambiguous (i.e., ...teaches part of the sequence (i.e., key record) sent to second device containing a password used to authenticate a user [par. 44]),

a trigging unit for initiating a short range transmission of said key record (i.e., ... teaches sending a initialization token to thru short-range transmission the short-range [par.. 45 & 52]). and means for erasing (e.g., due date) said characteristic after one of (i.e., ...teaches a due date attached to the initialization token [par. 52]); a transmission of said key record and a predetermined time interval (i.e., ...teaches a due date attached to the initialization token [par. 52]); wherein said trigging unit is activated to initiate said short range transmission after a signal energy/detected by said detecting unit exceeds a predetermined voltage level (i.e., Hermann discloses in paragraph 20 ,

communication between transmitter and receiver is initiated (e.g., trigger unit) when the transmitter enters within a certain proximity (e.g., within a distance) of the receiving device. Hermann further disclose authentication information is subsequently exchanged [par. 21]).

20. Claim 18. (Cancelled).

Response to Arguments

Examiner Response to Applicant's Remarks submitted on 1/27/2010 –"Dellmo Reference"

Applicant's argument with respect to prior art reference Dellmo et al. (Patent Publication No. 2002/0094087) made on 1/27/2010 are moot in view of the new grounds of rejection set forth above.

Examiner Response to Applicant's Remarks submitted on 1/27/2010 –"Hermann Reference"

With regards to applicant's alleged deficiency on the part of cited prior art reference Hermann with regards to applicant's claim limitation of:

> " trigging unit being activated when said portable unit and said receiving unit are within a distance to each other such that signal energy from said receiving unit received by said portable unit exceeds a predetermined voltage level",

the Examiner respectfully submits upon further consideration, Hermann discloses in paragraph 20 , communication between transmitter and receiver is initiated (e.g.,

trigger unit) when the transmitter enters within a certain proximity (e.g., within a distance) of the receiving device. Hermann further discloses authentication information is subsequently exchanged [par. 21]. The Examiner contends that the triggering unit is inherent to the device initiating the communication.

With regards to applicant remarks that Hermann does not teach the use of a detecting unit to measure the received signal power as the PA, the Examiner respectfully contends that the applicant is arguing subject matter which is not recited in the present claims submitted on 1/27/2010. The Examiner respectfully submits applicant's claim 7 recites :

> "7. (Previously presented) A security system as claimed in claim 1, characterized in that, upon a user's approach to the receiving unit, a detector unit in the unit triggers the short-range information transmission of the worldwide unique key record."

The Examiner contends that the applicant does not claim the use of a detecting unit to measure the received signal power as the PA.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRYAN WRIGHT whose telephone number is (571)270-3826. The examiner can normally be reached on 8:30 am - 5:30 pm Monday -Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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